

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER BRACKE,  
Plaintiff**

**CIVIL ACTION**

**v.**

**SITEONE LANDSCAPE SUPPLY, LLC,  
Defendant.**

**NO. 21-5244**

**ORDER**

**AND NOW**, this 15th day of April, 2022, upon consideration of Defendant's Motion to Dismiss Plaintiff's Complaint (ECF Nos. 5, 13), and Plaintiff's Brief in Opposition thereto (ECF No. 7), it is **HEREBY ORDERED** that Defendant's Motion is **GRANTED** as follows:

1. Plaintiff's First, Fourth, Fifth and Sixth causes of action are **DISMISSED WITH PREJUDICE**.
2. Plaintiff's Second and Third causes of action are **DISMISSED WITHOUT PREJUDICE**, with leave to amend. Plaintiff may file an amended complaint within thirty (30) days of the date of this Order.

**BY THE COURT:**

**/S/WENDY BEETLESTONE, J.**

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**WENDY BEETLESTONE, J.**